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REMARKS

The Office Action of February 12, 2003 has been studied in detail along with the references applied and cited by the examiner. In response, selected claims have been cancelled (claims 9-25 cancelled without prejudice as being directed to nonelected, withdrawn claims, and claims 4 and 5 cancelled since the subject matter thereof has been incorporated into amended independent claim 1), other claims amended (claims 6 and 7), and new claims 23-28 presented for consideration. The pending claims should be read in conjunction with the accompanying arguments in support of patentability. Further examination and reconsideration of the application as amended are respectfully requested.

Applicants expressly reserve the right to pursue cancelled claims 9-23 by way of a divisional application filed during pendency of this application or one claiming copendency therewith. It is noted for the record, that paragraph 1 of the Detailed Action (page 2 of the Office Action) refers to claims 9-25. It is believed that the claims should be identified as claims 9-23 as properly identified on page 1 of the Office Action. In addition, the examiner indicates that "Applicant's amendment regarding claims 9-15 is considered moot because it is addressed to non-elected groups." It is believed that the examiner was referencing applicants' argument with traverse regarding the restriction between Groups II and III, which argument is still believed proper. Therefore, the withdrawal and cancellation of claims 9-23 from further consideration herein should not be construed as an admission that applicants agree with the examiner's characterization that the election was made without traverse. This is true with regard to the elected claims but not relative to the nonelected Groups. Applicants reserve the right to pursue this issue in any later filed application.

Regarding the claim rejections, applicants respectfully disagree with the conclusion that Watson, et al. 5,675,215 ("Watson") is properly combinable with DE-4,133,077 ("the '077 document"). Particularly, the examiner states that [t]he Watson reference, addressed in the rejection of Claim 1, discloses a cold chamber portion connecting the ends of the helix shaped tube portions (Figure 2), but does not disclose that the transversal dimension of the cold chamber is larger than the diameter of the tube portions." For this teaching the examiner relies

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on the '077 document . . . "the transversal dimension of the cold chamber is larger than the diameter of the tube portions. This allows a larger cooling area which keeps the bent parts of the discharge vessel largely free from any mercury coating."

However, a closer examination of Watson, particularly at column 6, lines 24-30 demonstrates that Watson intends to contain the amalgam in the end segments 34 of that structure. That is, the end segments are those portions of the lamp envelope received in the mounting cap member 36 ("The lamp envelope 32 has respective first and second end segments 34 which are shown as being mounted within a mounting cap member." col. 5, lines 14-17). Thus, Watson explicitly teaches away from placing the cold spot to contain the amalgam at the other end as taught in the '077 document. This is exactly opposite from the teachings of Watson and thus it is respectfully submitted that one skilled in the art with the teachings of Watson and the '077 document would not arrive at the structure of the present invention. Consequently, claims 1 and 26 define over any fair teachings attributable to the individual teachings of the prior art.

Moreover, new dependent claim 24 further specifies that the enlarged transverse dimension does not contribute to an overall increase in the height of the lamp, i.e., along the central axis, by stating that the transverse dimension is measured in a direction perpendicular to the central axis. In addition to the impropriety of combining Walton and the '077 document, it is respectfully asserted that the '077 document would teach one skilled in the art to unnecessarily enlarge the height of the lamp envelope. Consequently, claim 24 is patentable over any fair teaching in the art for this additional reason.

With respect to dependent claims 6 and 7 (and likewise new claims 27 and 28), applicants have amended these claims to specify that the lamp does not include a separate external envelope. Rather, the configuration or the external shape of the double helix forms either a substantially spherical or barrel-shaped lamp. These configurations are illustrated in Figures 2 and 3 of the present application, respectively.

Still further, as noted in the present specification as filed, the '077 document has "a relatively large distance between the turn of the two strands of the helix, so that the surface of

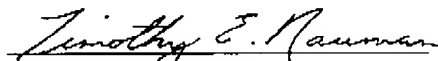
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the discharge tube turning inwards is also partly visible, adding to the effective area. However, the large distance between the turns again results in a large longitudinal dimension of the coil to the detriment of the overall compactness of the lamp." (page 2, ¶0006, lines 24-28). This distinction is highlighted in dependent claim 25 that indicates that the "second end section has no substantial linear portions adjacent the cold chamber portion."

All formal and informal matters having been addressed, this application is in condition for allowance. Early notice to that effect is solicited.

Respectfully submitted,

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U.S. Serial No. 09/882,842; filed June 15, 2001

Art Unit 2879

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Exhibit A

1. (Amended) A compact fluorescent lamp comprising:

a double helix shaped discharge tube including two helix shaped tube portions, the tube portions defining a central axis of the discharge tube,

the double helix having a central section and a first end section, the sections of the helix begin defined along the central axis,

a lamp base for receiving ends of the tube portions, said lamp base being disposed at the first end section, and an inner diameter of the central section of the helix being larger than an inner diameter of the first end section,

a cold portion chamber portion connecting the ends of the helix shaped tube portions, a transverse dimension of the cold portion being larger than the diameter of the tube portions.

6. (Amended) The compact fluorescent lamp of claim 1 in which the double helix has an external [envelope] configuration which is substantially spherical.

7. (Amended) The compact fluorescent lamp of claim 1 in which the double helix has an external [envelope] configuration which is substantially barrel-shaped.

Add new claims 24-28 as follows:

24. The compact fluorescent lamp of claim 1 in which the enlarged transverse dimension is measured in a direction perpendicular to the central axis.

25. The compact fluorescent lamp of claim 1 in which the enlarged transverse dimension in the second end section has no substantial linear portions adjacent the cold chamber portion.

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Exhibit A

26. A compact fluorescent lamp comprising:
a double helix shaped discharge tube including two helix shaped tube portions, the tube portions defining a central axis of the discharge tube,
the double helix having a central section and a first end section, the sections of the helix begin defined along the central axis,
a lamp base for receiving ends of the tube portions, said lamp base being disposed at the first end section, and an inner diameter of the central section of the helix being larger than an inner diameter of the first end section,
a cold portion chamber portion connecting the ends of the helix shaped tube portions, a transverse dimension of the cold portion measured in a direction perpendicular to the central axis being larger than the diameter of the tube portions.

27. The compact fluorescent lamp of claim 26 in which the double helix has an external configuration which is substantially spherical.

28. The compact fluorescent lamp of claim 26 in which the double helix has an external configuration which is substantially barrel-shaped.

LA:AP/TEN/GEC20564.AMD